

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49064 of 2018

Arising Out of PS. Case No.-52 Year-2017 Thana- SONNAGAR RAIL P.S. District- Gaya

Alkhi Kunwar @ Alkhi, Wife of Late Pukar Yadav, resident of Village- Shiva Bigha, P.S.- Salaiya, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner, learned APP
for the State.

The petitioner seeks bail in Sone Nagar Rail P. S.
Case No. 52 of 2017 instituted for the offence under Section(s)
306/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
victim herself has committed suicide with her three children
after coming in front of running train for which a U.D. case
has already been instituted. The informant has wrote and signed
before the Rail police that his daughter with her three children
have fell from running train and they have succumbed on
account thereof.

Learned counsel for the State has submitted that this
is a serious case where the victim along with three children were



forced to commit suicide by coming before a running train on account of torture committed by this petitioner and her other family members.

The petitioner is the mother-in-law.

In the written report, it is alleged that this petitioner along with her Nanad always committed physical and mental torture with the daughter of the informant (deceased) and even they did not provide meal to her. It is alleged that on 8.8.2017 at 8.30 AM. this petitioner along with co accused Daulati Devi did not provide meal to the children of the daughter of the informant (since deceased) aged about 25 years and to her three children aged about 6 years, 4 years and 2.5 years respectively. The daughter of informant went to make demand of the food then this petitioner along with co accused Daulati Devi assaulted her after catching her hair and pushed her down on the ground and ousted her from the house with the children and gave threat to her not to return otherwise they would kill her. The daughter of the informant gave information to her husband on telephone about such behavior of this petitioner and co accused Daulati Devi but he scolded the daughter of the informant and told her to commit suicide. The daughter of the informant out of such behavior of this



petitioner and co accused Daulati Devi and her husband at 4 PM went with her three children near the rail track and committed suicide by coming in front of the running train. The informant has alleged that just two hours prior to the occurrence at 2 PM the daughter of the informant had informed to the informant on telephone about the assault committed by this petitioner and co accused Daulati Devi and also ousting her with her children from the house after assaulting her. The informant went to the sausral of his daughter where this petitioner and co accused Daulati Devi and her husband were present and all of them misbehaved with the informant and did not give any information where his daughter had gone. The informant received information while returning to his village that one lady with her three children had committed suicide by coming in front of the running train near Sone Nagar Junction. The informant went to the place and identified dead body of his daughter, grand daughter and grand son. The informant took the dead body after identification with the rail police for postmortem. Thereafter he took the dead body for cremation where this petitioner and other accused persons misbehaved and did not allow the dead body to be brought to the Darwaja. The informant anyhow cremated the dead body outside his



village with the help of the villagers.

Case diary has been received wherein further statement of the informant is available at para 19 of the case diary. Statement of other witnesses are available at para 20, 21, and 22 of the case diary wherein they have levelled specific allegation against this petitioner .

As such, from the narration of the allegation made in the written report it appears that due to torture committed by the petitioner and other accused persons in the sasural the young girl aged about 25 years (daughter of the informant) was forced to commit suicide along with her three minor children aged about 6 years, 4 years and 2.5 years by coming in front of the running train.

In such circumstances, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Trial Court is directed to expedite the trial.

Petitioner may renew prayer for bail after nine months if no substantial progress is made in the trial.

(Sanjay Priya, J)

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